

02.02.2021
SL No.5
Court No.12
(gc)

**FA 174 of 2016
With
CAN 3 of 2019
(Old No: CAN 3848 of 2019)**

**Shyam Sel Limited
Vs.
Bahubali Promoters Pvt. Ltd. & Ors.**

(Via Video Conference)

Mr. Shuvashish Sengupta,
Mr. Manoj Kumar Tiwari,
...for the Appellant.
Mr. Dwipraj Basu,
Mr. P. Saha,
...for the Respondents.

During the pendency of the appeal, the parties have proceeded to settle their disputes and have entered into a terms of settlement dated 27th January, 2021. The said terms of settlement is in consonance with the Order 23 Rule 3 of the Code of Civil Procedure. Accordingly, the appeal and the connected application are disposed of on the basis of the terms of settlement dated 27th January, 2021.

In view of the settlement arrived at between the parties, the learned Registrar General shall refund the said sum of Rs.1,08,00,000/- (Rupees one crore eight lacs only) deposited in terms of the order dated 13th July, 2016 along with accrued interest after deduction of costs, charges and expenses by way of a demand draft in favour of Shyam Sel & Power Limited within two weeks from the date of communication of this order.

The appeal and the application, accordingly, stand disposed of.

The decree of the Trial Court stands modified in terms of the settlement by the parties before us.

The department is directed to draw up the decree as expeditiously as possible.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)